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*Time-
Dated
Material*

The *California Regulatory Notice Register* is an official state publication of the Office of Administrative Law containing notices of proposed regulatory actions by state regulatory agencies to adopt, amend or repeal regulations contained in the California Code of Regulations. The effective period of a notice of proposed regulatory action by a state agency in the *California Regulatory Notice Register* shall not exceed one year [Government Code § 11346.4(b)]. It is suggested, therefore, that issues of the *California Regulatory Notice Register* be retained for a minimum of 18 months.

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PROPOSED ACTION ON REGULATIONS

Information contained in this document is published as received from agencies and is not edited by the Office of State Publishing.

TITLE 1. OFFICE OF ADMINISTRATIVE HEARINGS

NOTICE OF PROPOSED RULEMAKING

The Regulating Authority (consisting of the Departments of General Services, Transportation, and Water Resources, administered by the Office of Administrative Hearings) proposes to adopt the amended regulation described below after considering all comments, objections, or recommendations regarding the proposed action.

PROPOSED REGULATORY ACTION

The Regulating Authority proposes to amend section 1395 of Chapter 4 of Division 2 of Title 1 of the California Code of Regulations. The proposed regulation will clarify an existing Public Works Contract Arbitration regulation.

PUBLIC HEARING

At this time, the Regulating Authority has not scheduled a public hearing. Any interested person or his or her duly authorized representative may request a hearing pursuant to Government Code section 11346.8 no later than 15 days prior to the close of the comment period. Requests for a public hearing should be directed to the contact person indicated below.

WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to OAH. All written comments must be received no later than 5:00 p.m. on October 10, 2005. Written comments for the Regulating Authority's consideration should be directed to the contact person indicated below.

CONTACT PERSON

Inquiries concerning the substance of the proposed action and requests for a copy of the proposed text of the regulation, the initial statement of reasons, the

modified text of the regulation, if any, or other information upon which the rulemaking is based should be directed to:

Margaret A. Farrow
Office of Administrative Hearings
560 J Street, Suite 300
Sacramento, CA 95814
(916) 445-4926

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATION

The entire rulemaking file will be available for inspection and copying throughout the rulemaking process at the above address during regular business hours. As of the date this notice is published in the Notice Register, the rulemaking file consists of this notice, the proposed text of the regulation, the initial statement of reasons, and any data relied upon. A copy may be obtained by contacting Margaret A. Farrow at the address or telephone number listed above or from the OAH web site, at <http://www.dgs.ca.gov/oah>.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

Following the comment period, the Regulating Authority may adopt the proposed regulation substantially as described in this notice. If modifications are made which are sufficiently related to the originally proposed text, the modified text with changes clearly indicated will be made available to the public for at least 15 days prior to the date on which the Regulating Authority adopts the regulation. Requests for copies of any modified regulation should be sent to the attention of Margaret A. Farrow at the address indicated above. The Regulating Authority will accept written comments on the modified regulation for 15 days after the date on which it is made available.

INFORMATIVE DIGEST / OVERVIEW IN PLAIN ENGLISH

In 1982, the Legislature created a method of resolving contract claims under the State Contract Act by arbitration. The Office of Administrative Hearings (OAH), a division of the Department of General Services, administers this program, generally referred to as the Public Works Contract Arbitration (PWCA) Program. OAH may, jointly with the Departments of General Services, Transportation and Water Resources, modify, revise, or repeal uniform regulations to implement the provisions of Articles 7.1 (commencing with Section 10240) and 7.2 (commencing with Section 10245) of Chapter 1 of Division 2 of the Public Contract Code. These regulations may include but need not be limited to:

- (a) The method of initiating arbitration.

- (b) The place of hearing based upon the convenience of the parties.
- (c) Procedures for the selection of a neutral arbitrator.
- (d) The form and content of any pleading.
- (e) Procedure for conducting hearings.
- (f) The providing of experts to assist the arbitrator in the event the assistance is needed.
- (g) The content of the award.
- (h) Simplified procedures for claims of fifty thousand dollars (\$50,000) or less.

The regulation revision proposed reflects an ongoing effort by the Regulating Authority to keep the PWCA regulations responsive to the needs of the parties and the expeditious operation of the arbitration program.

AUTHORITY AND REFERENCE

The authority for the proposed regulation is found in Public Contract Code sections 10240.5 and 10245.2 which specify the Department of General Services, Transportation, and Water Resources may modify, revise, or repeal uniform regulations to implement Articles 7.1 and 7.2 of the Public Contract Code. The primary reference for the proposed regulation is found in Article 7.2 (commencing with Section 10245) of Chapter 1 of Division 2 of the Public Contract Code.

DETERMINATIONS

DISCLOSURES/FISCAL IMPACT REGARDING THE PROPOSED ACTION

The Regulating Authority has made the following determinations:

- **MANDATE ON LOCAL AGENCIES OR SCHOOL DISTRICTS:** The proposed regulation will not impose any new mandated programs on local agencies or school districts.
- **COST OR SAVINGS TO LOCAL AGENCIES OR SCHOOL DISTRICTS FOR WHICH GOVERNMENT CODE SECTION 17500, ET SEQ REQUIRES REIMBURSEMENT:** None.
- **COST OR SAVINGS TO STATE AGENCIES:** The regulation revision proposed herein does not impose additional cost on state agencies. The proposed regulation amends the existing qualifications for arbitrators of state contract claims authorized by statute. To the extent that the revised regulation clarifies qualifications, they may result in cost savings lessening the time required to approve arbitrators for the panel.
- **COST OR SAVINGS IN FEDERAL FUNDING TO THE STATE:** None.

- **ASSESSMENT OF ECONOMIC IMPACT ON BUSINESSES, PRIVATE PERSONS OR BUSINESSES; SMALL BUSINESSES:** Pursuant to Government Code 11346.5(a)(9). The agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action. This regulation will not adversely affect small business, because it clarifies a current regulation regarding qualifications of arbitrators.

In addition, the regulation will not adversely affect the creation or elimination of jobs within California, the creation of new businesses or the elimination of existing business within California, or the expansion of businesses currently doing business in California.

- **SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT DIRECTLY AFFECTING BUSINESS, INCLUDING ABILITY TO COMPETE:** Pursuant to Government Code 11346.5(a)(8) and 11346.3(a)(2), OAH has made an initial determination that the action will not have a significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

This regulation does not significantly alter or increase any fees or costs currently existing by regulation or statute. This regulation does not appreciably increase the cost of the arbitrations and may facilitate resolution of arbitration disputes by increasing the number of arbitrators available by clarifying the qualifications required.

- **EFFECT ON HOUSING COSTS:** None.
- **USE OF SPECIFIC TECHNOLOGIES OR EQUIPMENT:** None.
- **TECHNICAL, THEORETICAL, AND EMPIRICAL STUDY, REPORT OR DOCUMENT RELIED UPON IN PROPOSING THE REGULATIONS:** None.
- **NONDISCRETIONARY COSTS OR SAVINGS TO LOCAL AGENCIES:** None.
- **CONSIDERATION OF ALTERNATIVES:** In accordance with Government Code section 11346.5, subdivision (a)(13), the Regulating Authority must determine that no alternative considered would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

The purpose of the proposed regulation is to specify the qualifications for arbitrators on state contract claims. The Regulating Authority has been unable to identify any alternative to the proposed regulation that would be as effective and less burdensome to

affected persons. The Regulating Authority invites interested persons to present statements or arguments regarding alternatives to the proposed regulation during the written comment period.

TITLE 2. FAIR POLITICAL PRACTICES COMMISSON

NOTICE IS HEREBY GIVEN that the Fair Political Practices Commission, pursuant to the authority vested in it by sections 82011, 87303, and 87304 of the Government Code to review proposed conflict of interest codes, will review the amended conflict of interest codes of the following agencies:

CONFLICT OF INTEREST CODE

AMENDMENTS

STATE AGENCIES:

California State University and Department of Toxic Substances Control

A written comment period has been established commencing on **August 26, 2005**, and closing on **October 10, 2005**. Written comments should be directed to Adrienne Korchmaros, Fair Political Practices Commission, 428 J Street, Suite 620, Sacramento, California 95814.

At the end of the 45-day comment period, the proposed amendment to the conflict of interest code will be submitted to the Commission's Executive Director for review, unless any interested person, or his or her duly authorized representative, requests, no later than 15 days prior to the close of the written comment period, a public hearing before the full Commission. If a public hearing is requested, the proposed amendment will be submitted to the Commission for review.

The Executive Director of the Commission will review the above-referenced amendment to the conflict of interest code, proposed pursuant to Government Code section 87300, which designates, pursuant to Government Code section 87302, employees who must disclose certain investments, interests in real property, and income.

The Executive Director or the Commission, upon his or her own motion or at the interest of any interested person, will approve, or revise and approve, or return the amendment to the agency for revision and re-submission within 60 days without further notice.

Any interested person may present statements, arguments, or comments, in writing to the Executive Director of the Commission, relative to review of the proposed amendment to the conflict of interest code. Any written comments must be received no later than **October 10, 2005**. If a public hearing is to be held, oral comments may be presented to the Commission at the hearing.

COST TO LOCAL AGENCIES

There shall be no reimbursement for any new or increased costs to local government which may result from compliance with these codes because these are not new programs mandated on local agencies by the codes since the requirements described herein were mandated by the Political Reform Act of 1974. Therefore, they are not "costs mandated by the state" as defined in Government Code section 17514.

EFFECT ON HOUSING COSTS AND BUSINESSES

Compliance with the codes has no potential effect on housing costs or on private persons, businesses, or small businesses.

AUTHORITY

Government Code sections 82011, 87303, and 87304 provide that the Fair Political Practices Commission as the code reviewing body for the above conflict of interest code shall approve codes as submitted, revise the proposed code, and approve it as revised, or return the proposed code for revision and re-submission.

REFERENCE

Government Code sections 87300 and 87306 provide that agencies shall adopt and promulgate conflict of interest codes pursuant to the Political Reform Act and amend their codes when change is necessitated by changed circumstances.

CONTACT

Any inquiries concerning the proposed conflict of interest code(s) should be made to Adrienne Korchmaros, Fair Political Practices Commission, 428 J Street, Suite 620, Sacramento, California 95814, telephone (916) 322-5660.

TITLE 14. BOARD OF FORESTRY AND FIRE PROTECTION

CALIFORNIA CODE OF REGULATIONS

NOTICE OF PROPOSED RULEMAKING

Performance Based Hazard Reduction, 2006

The Board of Forestry and Fire Protection (Board) proposes to adopt the regulations of Title 14 of the California Code of Regulations (14 CCR) described below after considering all comments, objections, and recommendations regarding the proposed action.

Adopt:

- | | |
|------------------------|---|
| 14 CCR § 957 | Hazard Reduction |
| 14 CCR § 957.11 | Performance Based Hazard Reduction |
| 14 CCR § 957.12 | Treatment of Logging Slash to Reduce Fire Hazard |

PUBLIC HEARING

The Board will hold a public hearing starting at 9:00 A.M., on Thursday, October 13, 2005, at the Resources Building Auditorium, 1st Floor, and 1416 Ninth Street, Sacramento, California. At the hearing, any person may present statements or arguments, orally or in writing, relevant to the proposed action described in the *Informative Digest*. The Board requests, but does not require, that persons who make oral comments at the hearing also submit a summary of their statements. Additionally, pursuant to Government Code 11125.1, any information presented to the Board during the open hearing in connection with a matter subject to discussion or consideration becomes part of the public record. Such information shall be retained by the Board and shall be made available upon request.

WRITTEN COMMENT PERIOD

Any person, or authorized representative, may submit written comments relevant to the proposed regulatory action to the Board. The written comment period ends at 5:00 P.M., on Tuesday, October 10, 2005. The Board will consider only written comments received at the Board office by that time (in addition to those written comments received at the public hearing). The Board requests, but does not require, that persons who submit written comments to the Board reference the title of the rulemaking proposal in their comments to facilitate review.

Written comments shall be submitted to the following address:

Board of Forestry and Fire Protection
Attn: Christopher Zimny
Regulations Coordinator
P.O. Box 944246
Sacramento, CA 94244-2460

Written comments can also be hand delivered to the contact person listed in this notice at the following address:

Board of Forestry and Fire Protection
Room 1506-14
1416 9th Street
Sacramento, CA

Written comments may also be sent to the Board via facsimile at the following phone number:
(916) 653-0989

Written comments may also be delivered via e-mail at the following address:
board.public.comments@fire.ca.gov

AUTHORITY AND REFERENCE

Public Resources Code (PRC) 4551 and 4554.5 authorizes the Board to adopt such rules and regulations as it determines are reasonably necessary to enable it to implement, interpret or make specific

sections 4512, 4513 and 4561 of the Public Resources Code. Reference: Public Resources Code sections 4513, 4551.5, 4561 and 21080.5.

**INFORMATIVE DIGEST/POLICY
STATEMENT OVERVIEW**

Existing law PRC 4562, Fire protection zone rules, requires treatment of slash to reduce fire and pest hazards on timberlands. Current regulations under 14 CCR § 957 prescribe the slash treatment activities for compliance with PRC 4262. The Board is promulgating a regulation which provides more flexible standards, compared to existing regulations, for treatment of logging slash in order to reduce fire and pest hazard in logging areas, in accordance with goals under 14 CCR § 957. The new regulation provides a Registered Professional Foresters (RPFs) preparing Timber Harvesting Plans (plan) the opportunity to develop the slash treatment components based on a set of "performance standards", instead of prescriptive requirements. In general, performance standard regulation means a regulation that describes an objective with the criteria stated to meet the objective. The proposed regulation is expected to provide "regulatory relief" in that a wider range of treatment methods may be established by the RPF, when in conformance with the Forest Practice Act and the Rules of the Board. The regulation is a "pilot" regulation which the Board will monitor and evaluate for a limited period of time (three years).

SPECIFIC PURPOSE OF THE REGULATION

The proposed regulation establishes broad criteria to meet FPR goals to reduce the fire and pest hazards resulting from flammable debris (slash) created during timber harvesting. Existing rules permit a limited number of slash treatment methods to reduce hazards and include detailed compliance requirements that have historically been demonstrated to be effective. The Board recognizes that meeting the goals of reducing fire and pest hazards in accordance with the FPRs can be accomplished in a wider number of ways, when considering all site specific factors such as estimated amount and distribution of slash to be created by the operation, type of remaining vegetation, topography, climate, degree of public exposure, and fire history. A wider range of methods may provide the plan submitter the opportunity to both highly meet hazard reduction requirements and do so in a more cost effective manner.

The primary purpose of the rule is to create a performance based regulation that describes the criteria and goals necessary to meet hazard reduction requirements of the FPRs. The following subsections describe the goals and establish the criteria for hazard reduction related to slash treatment:

Section 957

Section 957 establishes that an RPF may use either existing regulations that address hazard reduction or use the proposed performance based rules. It also indicates that the proposed rule will expire on December 31, 2009.

Section 957.11

Section 957.11 defines the goals the performance based slash reduction treatments must accomplish. These goals include: provide a level of fire and pest protection to property and resources that meets or exceeds the intent of protection provided under 14 CCR § 957 through 957.8; provide information for direction for RPFs on how to prepare a slash reduction plan; provide information for direction for the timber operators implementing the slash treatments; and provide direction for CDF in its review, approval, inspection, and monitoring of the slash treatments.

Section 957.12

Section 957.12 defines the locations where slash treatment apply and details the criteria the RPF must consider in developing slash treatments. These are the criteria which will be used to determine if the performance goals are met. The area applicable for the slash treatments includes the plan area, adjacent roads, but excludes appurtenant roads.

Section 957.12(a)(1-5)

Section 957.12(a)(1-5) lists the criteria the RPF must consider in developing slash treatments. Among the criteria are site specific considerations including amount and distribution of slash, type of remaining vegetation, topography, climate, degree of public exposure, and fire history.

The RPF must also document other criteria used to develop the slash treatments. The documentation must include a description of all the slash treatments to be used and the locations of treatments. Other documentation includes discussion of timing of slash treatments, precautions employed to avoid fire escape when using broadcast burning, precautions taken during slash treatment to protect wildlife and beneficial uses of water, and treatments adjacent to roads and human inhabited houses.

Section 957.12(b)(1-4)

Section 957.12(b)(1-4) details other operational criteria that must be met when slash treatment using burning as a disposal method is used. These include conducting operation only at times safe for burning and in accordance with law; preparing slash piles that are sufficiently free of non combustible material; requirements for follow-up treatments for ineffective slash treatments; and protection of residual trees.

Section 957.12(b)(5-7)

Section 957.12(b)(5-7) establishes administrative requirements for the plan submitter. These include the need to provide the information the RPF used to develop the slash treatment methods to the Director when requested by the Director; a burning permit for operations with unusual fire hazards; and notification to the Director of CDF of the time of place of burning.

DISCLOSURES REGARDING THE PROPOSED ACTION

The Board has determined the proposed action will have the following effects:

- Mandate on local agencies and school districts: None
- Costs or savings to any State agency: None
- Cost to any local agency or school district which must be reimbursed in accordance with the applicable Government Code (GC) sections commencing with GC 17500: None
- Other non-discretionary cost or savings imposed upon local agencies: None
- Cost or savings in federal funding to the State: None
- The Board has made an initial determination that there will be no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.
- Cost impacts on representative private persons or businesses: The Board is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.
- Significant effect on housing costs: None
- Adoption of these regulations will not: (1) create or eliminate jobs within California; (2) create new businesses or eliminate existing businesses within California; or (3) affect the expansion of businesses currently doing business within California.
- Effect on small business: The Board has determined that the proposed amendments will not have an adverse affect on small business. The proposed regulation is designed to provide regulatory relief, leading to substantial reduction in regulatory filing and preparation fees.
- The proposed rules do not conflict with, or duplicate Federal regulations.

BUSINESS REPORTING REQUIREMENT

The regulation does not require a report, which shall apply to businesses.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code 11346.5(a)(13), the Board must determine that no reasonable alternative it considers or that has otherwise been identified and brought to the attention of the Board would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

CONTACT PERSON

Requests for copies of the proposed text of the regulations, the *Initial Statement of Reasons*, modified text of the regulations and any questions regarding the substance of the proposed action may be directed to:

Board of Forestry and Fire Protection
Attn: Christopher Zimny
Regulations Coordinator
P.O. Box 944246
Sacramento, CA 94244-2460
Telephone: (916) 653-9418

The designated backup person in the event Mr. Zimny is not available is Doug Wickizer, California Department of Forestry and Fire Protection, at the above address and phone (916) 653-5602.

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The Board has prepared an *Initial Statement of Reasons* providing an explanation of the purpose, background, and justification for the proposed regulations. The statement is available from the contact person on request.

When the *Final Statement of Reasons* has been prepared, the statement will be available from the contact person on request.

A copy of the express terms of the proposed action using UNDERLINE to indicate an addition to the California Code of Regulations and ~~STRIKETHROUGH~~ to indicate a deletion, is also available from the contact person named in this notice.

The Board will have the entire rulemaking file, including all information considered as a basis for this proposed regulation, available for public inspection and copying throughout the rulemaking process at its office at the above address. All of the above referenced information is also available on the CDF web site at:

[http://www.fire.ca.gov/BOF/board/
board_proposed_rule_packages.html](http://www.fire.ca.gov/BOF/board/board_proposed_rule_packages.html)

AVAILABILITY OF CHANGED OR MODIFIED TEXT

After holding the hearing and considering all timely and relevant comments received, the Board may adopt the proposed regulations substantially as described in this notice. If the Board makes modifications which are sufficiently related to the originally proposed text,

it will make the modified text—with the changes clearly indicated—available to the public for at least 15 days before the Board adopts the regulations as revised. Notice of the comment period on changed regulations, and the full text as modified, will be sent to any person who:

- a) testified at the hearings,
- b) submitted comments during the public comment period, including written and oral comments received at the public hearing, or
- c) requested notification of the availability of such changes from the Board of Forestry and Fire Protection.

Requests for copies of the modified text of the regulations may be directed to the contact person listed in this notice. The Board will accept written comments on the modified regulations for 15 days after the date on which they are made available.

TITLE 16. BOARD OF PHARMACY

NOTICE IS HEREBY GIVEN that the Board of Pharmacy is proposing to take the action described in the Informative Digest. Any person interested may present statements or arguments relevant to the action proposed in writing. Written comments, including those sent by mail, facsimile, or e-mail to the addresses listed under Contact Person in this Notice, must be received by the Board of Pharmacy at its office not later than 5:00 p.m. on October 10, 2005.

The board does not intend to hold a hearing in this matter. If any interested party wishes that a hearing be held, he or she must make the request in writing to the board. The request must be received in the board office not later than 5 p.m. on September 25, 2005.

The Board of Pharmacy, upon its own motion or at the instance of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

AUTHORITY AND REFERENCE

Pursuant to the authority vested by sections 4005 and 4100 of the Business and Professions Code, the Board of Pharmacy is considering changes to Division 17 of Title 16 of the California Code of Regulations as follows:

INFORMATIVE DIGEST/POLICY
STATEMENT OVERVIEW

Section 4005 of the Business and Professions Code grants the Board of Pharmacy authority to adopt regulations relating to the practice of pharmacy.

Section 1704 of the California Code of Regulations requires that each person holding a license to practice or engage in any activity in the State of California under any and all laws administered by the Board to file a proper and current residence address with the Board and to notify the board within 30 days of any and all changes of residence address.

The board proposes the adoption of section 1727.1 in Title 16 of the California Code of Regulations. This section concerns the posting of intern addresses on the World Wide Web or the Internet.

The purpose of the regulation is to specify that the board will not post pharmacy intern addresses on the World Wide Web or the Internet.

FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None.

Nondiscretionary Costs/Savings to Local Agencies: None.

Local Mandate: None.

Cost to Any Local Agency or School District for Which Government Code Section 17561 Requires Reimbursement: None.

Business Impact: The Board of Pharmacy has made an initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

Impact on Jobs/New Businesses: The Board of Pharmacy has determined that this regulatory proposal will not have a significant impact on the creation of jobs or new businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California.

Cost Impact on Representative Private Person or Business: The Board of Pharmacy is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Effect on Housing Costs: None.

EFFECT ON SMALL BUSINESS

The Board of Pharmacy has made an initial determination that the proposed regulatory action would not have a significant adverse economic impact directly affecting small business. The Board of Pharmacy has made this determination because the

proposed regulation does not affect business; the proposed regulation affects the internal operations of the board.

CONSIDERATION OF ALTERNATIVES

The Board of Pharmacy must determine that no reasonable alternative it considered to the regulation or that has otherwise been identified and brought to its attention would either be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposal described in this Notice.

Any interested person may present written statements relevant to the above determinations to the Board of Pharmacy at the above-mentioned address.

INITIAL STATEMENT OF REASONS
AND INFORMATION

The Board of Pharmacy has prepared an initial statement of the reasons for the proposed action and has available all the information upon which the proposal is based.

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained upon request from the Board of Pharmacy at 400 R Street, Suite 4070, Sacramento, California 95814, or from the Board of Pharmacy Web site (www.pharmacy.ca.gov).

AVAILABILITY AND LOCATION OF THE
FINAL STATEMENT OF REASONS
AND RULEMAKING FILE

All the information upon which the proposed regulations are based is contained in the rulemaking file which is available for public inspection by contacting the person named below.

You may obtain a copy of the final statement of reasons once it has been prepared, by making a written request to the contact person named below or by accessing the web site listed below.

CONTACT PERSON

Any inquiries or comments concerning the proposed rulemaking action may be addressed to:

Name: Jan E. Perez
Address: 400 R Street, Suite 4070
Sacramento, CA 95814
Telephone No.: (916) 445-5014 x 4016
Fax No.: (916) 327-6308
E-Mail Address: jan_perez@dca.ca.gov

The backup contact person is:

Name: Virginia Herold
Address: 400 R Street, Suite 4070
Sacramento, CA 95814
Telephone No.: (916) 445-5014 x4005
Fax No.: (916) 327-6308
E-Mail Address: virginia_herold@dca.ca.gov

WEBSITE ACCESS

Materials regarding this proposal can be found at www.pharmacy.ca.gov.

TITLE 16. BOARD OF PHARMACY

NOTICE IS HEREBY GIVEN that the Board of Pharmacy is proposing to take the action described in the Informative Digest. Any person interested may present statements or arguments relevant to the action proposed in writing. Written comments, including those sent by mail, facsimile, or e-mail to the addresses listed under Contact Person in this Notice, must be received by the Board of Pharmacy at its office not later than 5:00 p.m. on October 10, 2005.

The board will hold a public hearing starting at 1:30 pm on October 25, 2005 at the Crown Plaza Hotel, located at 1177 Airport Boulevard, Burlingame, CA 94010, telephone (650) 342-9200. At the hearing any person may present statements or arguments orally or in writing relevant to the proposed action described in the Informative Digest. The board requests, but does not require that persons who make oral comments at the hearing also submit a written copy of their testimony at the hearing.

The Board of Pharmacy, upon its own motion or at the instance of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

AUTHORITY AND REFERENCE

Pursuant to the authority vested by Sections 4005 of the Business and Professions Code, and to implement, interpret or make specific Sections 4005, 4052, 4116 and 4117 of said Code, the Board of Pharmacy is considering changes to Division 17 of Title 16 of the California Code of Regulations as follows:

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Section 4005 of the Business and Professions Code grants the Board of Pharmacy authority to adopt regulations relating to the practice of pharmacy.

Section 4052 of the Business and Professions Code describes the range of activities in which a pharmacist may engage.

Section 4116 of the Business and Professions Code limits the access of controlled substances to pharmacists and pharmacy interns.

Section 4117 of the Business and Professions Code describes who may enter into an area where narcotics are stored.

This proposed regulation will permit the use of prescription drop-off boxes and an automated, self-services delivery devices. The regulation authorizes a patient to deposit a prescription in a secure container that is at the same address as the licensed premises. The pharmacy is responsible for the security and confidentiality of the prescriptions deposited into the container.

The regulation will also allow a patient to access his or her filled prescriptions from a self-services automated delivery device under the following specified conditions:

- The automated delivery device is used for refill prescriptions only.
- It is the patient's choice to use the automated delivery device.
- The automated delivery device is located adjacent to the licensed pharmacy premises.
- The device is secure from access and removal by unauthorized individuals.
- The pharmacy provides the means for the patient to obtain a consultation with a pharmacist if requested by the patient.
- The pharmacy is responsible for the prescriptions stored in the automated delivery device.
- A pharmacist is not to use the automated delivery device to dispense refilled prescriptions if the pharmacist determines the patient requires counseling pursuant to Title 16 of the California Code of Regulations section 1707.2(a)(2).

The use of self-services automated delivery devices has raised concerns among some pharmacists who see the machines being used to replace pharmacists and to reduce the patient pharmacist consultations.

The board addressed these concerns at public meetings and believes that the use of self-services automated delivery devices will provide consumers with greater access to picking up their refill prescriptions, by allowing access both during regular pharmacy hours and when a pharmacy is closed.

The proposed regulation requires that 1) a pharmacy provides patients using automated delivery devices with a means for consultation with a pharmacist if the patient requires a consultation or has questions, and 2) the pharmacy is not to use the device for prescriptions if a pharmacist determines that a patient requires counseling for a prescription. These safeguards will protect the safety of the patients who choose to use the automated delivery devices. Patients do not generally receive consultations on refill medications.

1. Add Section 1713

Establishes requirements for the placement and use of secure prescription drop boxes and secure automated delivery devices. This section also contains some provisions currently contained in section 1717(e), which is otherwise being repealed.

2. Amend Section 1717(b)

Amendments to this section are technical in nature and will correct an erroneous code reference.

3. Repeal Section 1717(e)

This provision is being repealed and certain of its contents dealing with the delivery of medication to patients at specific locations has been incorporated into section 1713.

FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: The proposed regulation does not mandate the use of drop-off boxes or automated delivery devices; it permits the use of the devices for pharmacies that choose to use the technology.

Nondiscretionary Costs/Savings to Local Agencies: None.

Local Mandate: None.

Cost to Any Local Agency or School District for Which Government Code Section 17561 Requires Reimbursement: None.

Business Impact: The proposed regulation does not mandate the use of drop-off boxes or automated delivery devices; it permits the use of the devices for pharmacies that choose to use the technology. For pharmacies that choose to use a drop-off box or an automated delivery device, there will be initial short-term costs to purchase the equipment, install the equipment, and comply with the board's regulations. These costs may be offset by increases in pharmacy sales from customers who like the convenience of the machines. However, there may be no benefit to the pharmacy to use the devices if the patients do not "opt-in" to use them.

Impact on Jobs/New Businesses: The use of automated delivery devices has raised concerns among some individuals who see the machines being used to

replace pharmacists. The board believes that the use of the machines will not lead to a reduction in pharmacy staff, but rather will free up time clerks spend cashiering sales of refill medications in pharmacies.

The impact from the use of drop-off boxes is anticipated to be neutral.

Cost Impact on Representative Private Person or Business: The Board of Pharmacy does not mandate the use of this technology. It is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Effect on Housing Costs: None

EFFECT ON SMALL BUSINESS

The proposed regulation does not mandate the use of automated delivery devices; it permits the use of the devices for pharmacies that choose to use the technology. Consequently, there will be no effect on small business.

CONSIDERATION OF ALTERNATIVES

The Board of Pharmacy must determine that no reasonable alternative it considered to the regulation or that has otherwise been identified and brought to its attention would either be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposal described in this Notice.

Any interested person may present written statements relevant to the above determinations to the Board of Pharmacy at the above-mentioned address or during the hearing.

INITIAL STATEMENT OF REASONS
AND INFORMATION

The Board of Pharmacy has prepared an initial statement of the reasons for the proposed action and has available all the information upon which the proposal is based.

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained at the hearing or prior to the hearing upon request from the Board of Pharmacy at 400 R Street, Suite 4070, Sacramento, California 95814, or from the Board of Pharmacy website (www.pharmacy.ca.gov).

AVAILABILITY AND LOCATION OF THE
FINAL STATEMENT OF REASONS
AND RULEMAKING FILE

All the information upon which the proposed regulations are based is contained in the rulemaking

file which is available for public inspection by contacting the person named below.

You may obtain a copy of the final statement of reasons once it has been prepared, by making a written request to the contact person named below or by accessing the website listed below.

CONTACT PERSON

Any inquiries or comments concerning the proposed rulemaking action may be addressed to:

Name: Jan E. Perez
Address: 400 R Street, Suite 4070
Sacramento, CA 95814
Telephone No.: (916) 445-5014 x 4016
Fax No.: (916) 327-6308
E-Mail Address: jan_perez@dca.ca.gov

The backup contact person is:

Name: Virginia Herold
Address: 400 R Street, Suite 4070
Sacramento, CA 95814
Telephone No.: (916) 445-5014 x4005
Fax No.: (916) 327-6308
E-Mail Address: virginia_herold@dca.ca.gov

WEBSITE ACCESS

Materials regarding this proposal can be found at www.pharmacy.ca.gov.

TITLE 22. DEPARTMENT OF HEALTH SERVICES

ACTION

Notice of Proposed Rulemaking
Title 22, California Code of Regulations

SUBJECT

Public Notification Requirements for Drinking Water Regulation Violations, **R-59-01**

PUBLIC PROCEEDINGS

Notice is hereby given that the California Department of Health Services will conduct written public proceedings, during which time any interested person or such person's duly authorized representative may present statements, arguments or contentions (all of which are hereinafter referred to as comments) relevant to the action described in this notice.

CONTACTS

In any inquiries or written comments, please identify the action by using the Department regulation control number, R-59-01:

COMMENTS

Any written comments pertaining to these regulations, regardless of the method of transmittal, must be received by the Office of Regulations by 5 p.m. on October 11, 2005, which is hereby designated as the close of the written comment period. Comments received after this date will not be considered timely. Persons wishing to use the California Relay Service may do so at no cost. The telephone numbers for accessing this service are: 1-800-735-2929, if you have a TDD; or 1-800-735-2922, if you do not have a TDD. Written comments may be submitted as follows:

1. By mail or hand-delivered to the Office of Regulations, Department of Health Services, MS 0015, 1501 Capitol Avenue, P.O. Box 997413, Sacramento, CA 95899-7413. It is requested but not required that written comments sent by mail or hand-delivered be submitted in triplicate; or
2. By fax transmission: (916) 440-7714; or
3. By email to regulation@dhs.ca.gov (it is requested that email transmissions of comments, particularly those with attachments, contain the regulation package identifier "R-59-01" in the subject line to facilitate timely identification and review of the comment), or
4. By using the "Making Comments" link to the Department website at <http://www.dhs.ca.gov/regulation/>.

All comments, including email or fax transmissions, should include the author's name and U.S. Postal Service mailing address in order for the Department to provide copies of any notices for proposed changes to the regulation text on which additional comments may be solicited.

TO OBTAIN THE REGULATIONS REFERENCED IN THIS NOTICE

1. Materials regarding these regulations (including this public notice, the regulation text, and the Initial Statement of Reasons) that are available via the Internet may be accessed at <http://www.dhs.ca.gov/regulation/> and then clicking on the "Select DHS regulations" button.
2. In order to request a copy of this regulation package be mailed to you, please call (916) 440-7695 or email regulation@dhs.ca.gov.

INQUIRIES

Inquiries regarding the substance of the proposed regulations described in this notice may be directed to Michael G. McKibben, P.E., Standards and Technology Unit, Drinking Water Program at (619) 525-4023.

All other inquiries concerning the action described in this notice may be directed to Don Lee of the

Office of Regulations at (916) 440-7673, or to the designated backup contact person, Linda Tutor, at (916) 440-7697.

Upon request, this document will be made available in Braille, large print, and audiocassette or computer disk. To obtain a copy in one of these alternate formats, please call or write: Don Lee, Office of Regulations, MS 0015, P.O. Box 997413, Sacramento, CA 95899-7413, voice (916) 440-7673 and/or California Relay at 711/1-800-735-2929.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

All suppliers of domestic water to the public are subject to regulations adopted by the U.S. Environmental Protection Agency (USEPA) under the Safe Drinking Water Act (42 U.S.C. 300f et seq.) as well as by the California Department of Health Services (Department) under the California Safe Drinking Water Act (Sections 116270–116751, Health and Safety Code [H&S Code]). California has been granted “primacy” for the enforcement of the Federal Act. In order to receive and maintain primacy, states must promulgate regulations that are no less stringent than the federal regulations.

In accordance with federal regulations, California requires public water systems to sample their sources and have the samples analyzed for inorganic and organic substances to determine compliance with drinking water standards, also known as maximum contaminant levels (MCLs). Primary MCLs are based on health protection, technical feasibility, and costs. Secondary MCLs are based on consumer acceptance, using parameters such as odor, taste, and appearance as measures of acceptability. The water supplier must notify the Department and the public when a primary or secondary MCL has been violated and take appropriate action. Public water systems must also sample for a number of “unregulated” chemicals, as set forth in regulation. When MCLs are not the most feasible or appropriate approach to minimizing the level of a contaminant in drinking water, regulations are adopted that use “treatment techniques” to control the levels of the contaminant instead. Public water systems that do not comply with “treatment technique” requirements must also notify the public. The proposed regulations are revisions to the public notification requirements in the existing regulations that govern the form, manner, frequency, and content of public notices.

On May 4, 2000, USEPA promulgated revisions to the public notification requirements [Federal Register 65(87), 25982–26049] that California must adopt to maintain primacy.

This proposed regulation package incorporates all the required revisions. In order to adopt the revisions to the public notification requirements in conformance

with the federal rule, the Department proposes the following changes to Title 22, California Code of Regulations:

- Adopt new sections 64401.71, 64401.72, and 64401.73 to establish definitions for the three tiers of public notices for clarification;
- Amend sections 64426.1, 64432.1, 64451, 64453, 64482, 64483, and 64666 in order to revise citations;
- Amend section 64451 to update nomenclature and require water systems to certify to the Department when specified public notices have been issued. Section 64451 would also be redesignated as new section 64469;
- Amend section 64453 to specify the retention period for copies of public notices. Section 64453 would also be redesignated as new section 64470;
- Renumber article 18 (Records and Reporting) and article 19 (Notification of the Department and Water Consumers) in chapter 15 to be articles 19 and 18 respectively to change the order;
- Repeal sections 64463.2, 64464.1, 64464.3, 64464.6, 64465, 64466, 64467, 64467.5, 64468.1, 64468.2, 64468.3, 64468.4, 64469, and 64470;
- Adopt new sections 64463 through 64466 to incorporate the new federal requirements; and
- Amend section 64481 to include new federal definitions and remove appendices 64481-C, D, E, F, and G that would be relocated to the new public notification section 64465 in conformance with the federal revisions.

In addition, there would be two sections [64466 and 64481(c)(2)] that would incorporate federal regulations by reference: Federal Register 64(180), p 50556–50620, September 17, 1999.

The net effect of the proposed changes would be:

- Notices organized into three tiers for clarity;
- Public notices would contain the same health effects language that is to be included in Consumer Confidence Reports;
- Notices would be required under a broader definition of waterborne disease outbreaks and emergencies and for failure to collect a confirmation sample for nitrate;
- Water systems would be required to notify owners/operators of consecutive systems;
- Distribution of a violation notice may be limited to the affected portion of the distribution system, if approved by the Department;
- A certification for initial and repeat notices must be submitted to the Department within 10 days;

- Water systems would need to consult with the Department related to notices of possible acute health risks for turbidity limit exceedances;
- Notice of acute violations would be required within 24 hours instead of the existing 72;
- Existing requirement for newspaper notice within 14 days would be changed to within 30 to 90 days, depending on the Department review;
- Repeat notice frequency may be extended to annual, if approved by the Department;
- Availability of unregulated chemical monitoring results required to be noticed;
- Water systems must provide new customers with copies of all notices for outstanding violations or situations;
- Additional details required in notice;
- Standard language for monitoring and testing procedure violations; and
- To inform non-English speaking consumers about notice import, a sentence in the appropriate language is to be included in the notice under the same circumstances as specified in the Consumer Confidence Report requirements.

Adoption of these requirements would satisfy the mandate in section 116350, H&S Code, and federal primacy requirements related to the adoption of regulations at least as stringent as the federal. However, there are a few differences between the federal and proposed state requirements:

The federal rule does not provide for Department review of a notice prior to distribution to the public; the Department's experience is that such a review is frequently warranted to ensure that the notice is comprehensive and does not inadvertently confuse or mislead the public. This is particularly true for small systems. Therefore, the proposed regulations require that a system submit draft notices to the Department for review and approval unless otherwise directed.

- 40 CFR section 141.208(a) requires that a system distribute a special notice when the federal secondary MCL of 2 mg/L for fluoride is exceeded. Since California has a primary MCL of 2 mg/L for fluoride, a tier 1 notice would be issued and, therefore, this requirement has not been included in the proposed regulations.
- 40 CFR sections 141.209(a) and (b) specify the requirements for a notice and posting for a nitrate MCL exceedance allowed by the state; since the Department does not allow such exceedances, the associated requirements are not applicable and have not been included in the proposed regulations.
- 40 CFR section 141.210 allows the Department to give the public notice for a water system; since the Department requires all water systems to give their

own notices, this provision is not applicable and has not been included in the proposed regulations.

AUTHORITY

Sections 116275, 116325, 116350, 116375 and 116450, Health and Safety Code.

REFERENCE

Sections 116270 through 116751, Health and Safety Code.

FISCAL IMPACT ESTIMATE

- A. Fiscal Effect on Local Government: Additional expenditures of approximately none to negligible in the current State fiscal year which are not reimbursable by the State pursuant to Section 6 of Article XIII B of the California Constitution and Section 17500 et seq. of the Government Code because this regulation implements the Federal mandate contained in the Federal Safe Drinking Water Act.
- B. Fiscal Effect on State Government: Additional expenditures of approximately none to negligible in the current State fiscal year.
- C. Fiscal Effect on Federal Funding of State Programs: Additional expenditures of approximately none to negligible in the current State fiscal year.
- D. All cost impacts, known to the Department at the time the notice of proposed action was submitted to the Office of Administrative Law, that a representative private person or business would necessarily incur in reasonable compliance with the proposed action: The Department has concluded that any incremental costs resulting from the proposed revisions would be insignificant and there may be a small savings for a few systems when they are required to give public notice.
- E. Other Nondiscretionary Cost or Savings Imposed on Local Agencies: None

DETERMINATIONS

The Department has determined that the regulations would not impose a mandate on local agencies or school districts, nor are there any costs for which reimbursement is required by Part 7 (commencing with section 17500) of Division 4 of the Government Code.

The Department has made an initial determination that the regulations would not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

The Department has determined that the regulations will not significantly affect the following:

1. The creation or elimination of jobs within the State of California. The requirements summarized above should not have any affect in this area in that there would not be any change in water system or regulatory personnel needed for compliance with the proposed requirements.
2. The creation of new businesses or the elimination of existing businesses within the State of California. The nature of the water industry is such that the proposed regulation will not result in the creation or elimination of water systems. The impact of these regulations will be insignificant.
3. The expansion of businesses currently doing business within the State of California. Since water system size is basically a function of the number of service connections (consumers) served, the proposed regulations should not have any affect on expansion.

The Department has determined that the regulations would not affect small businesses. Government Code Chapter 3.5, Article 2, Section 11342.610 excludes drinking water utilities from the definition of small business.

The Department has determined that the regulations will have no impact on housing costs.

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF REGULATIONS

The Department has prepared and has available for public review an initial statement of reasons for the proposed regulations, all the information upon which the proposed regulations are based, and the text of the proposed regulations. A copy of the initial statement of reasons and a copy of the text of the proposed regulations are available upon request by writing to the Office of Regulations at the address noted above, which address will also be the location of public records, including reports, documentation, and other material related to the proposed regulations (rulemaking file). Additionally, a copy of the final statement of reasons (when prepared) will be available upon request from the Office of Regulations at the address noted above. Materials regarding the proposed regulations that are available via the Internet may be accessed at <http://www.dhs.ca.gov/regulation/>.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

The full text of any regulation which is changed or modified from the express terms of the proposed action will be made available by the Department's Office of Regulations at least 15 days prior to the date on which the Department adopts, amends, or repeals the resulting regulation.

ADDITIONAL STATEMENTS AND COMMENTS

In accordance with Government Code Section 11346.5(a)(13) the Department must determine that no reasonable alternative considered by the Department or that has otherwise been identified and brought to the attention of the Department would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

No hearing has been scheduled; however any interested person or his or her duly authorized representative may request in writing, no later than 15 days prior to the close of the written comment period, a public hearing pursuant to Government Code Section 11346.8.

Other regulation changes may be scheduled for hearing at the same time appointed for public hearing on the action described in this notice. An agenda for the public hearing will be posted at the time and place of hearing designated above.

For individuals with disabilities, the Department will provide assistive services such as sign-language interpretation, real-time captioning, note takers, reading or writing assistance, and conversion of public hearing materials into Braille, large print, audiocassette, or computer disk. To request such services or copies in an alternate format, please call or write: Don Lee, Office of Regulations, MS 0015, P.O. Box 997413, Sacramento, CA 95899-7413, voice (916) 440-7673 and/or California Relay 711/1-800-735-2929. Note: The range of assistive services available may be limited if requests are received less than ten working days prior to a public hearing.

GENERAL PUBLIC INTEREST

AIR RESOURCES BOARD

Open Invitation to Public Stakeholders Consultation Meeting for Draft Cal/EPA Multimedia Guidance Document for Multimedia Evaluations of Motor Vehicle Fuels and Fuel Additives

The California Environmental Protection Agency (Cal/EPA) Multimedia Interagency Working Group, together with the University of California Peer Reviewers (UC Peer Reviewers), extends an invitation to attend a public stakeholder's consultation meeting to discuss the development of a multimedia guidance document for multimedia evaluations of motor vehicle fuels and fuel additives.

This invitation is extended to organizations and individuals, who have an interest in the draft multimedia guidance document. An outline of the draft guidance document can be reviewed at www.arb.ca.gov/fuels/multi/multi.htm. The draft guidance document is being prepared by the UC Peer Reviewers under the direction of the Multimedia Interagency Working Group, which includes staff from the California Environmental Protection Agency, Department of Toxic Substances Control, State Water Resources Control Board, Office of Environmental Health Hazard Assessment, and the Air Resources Board. A final draft is expected within the calendar year. The meeting will be held on:

Date: September 13, 2005
Time: 1–5pm
Location: Sierra Hearing Room
Cal/EPA Building
1001 I Street
Sacramento, CA 95814

The meeting will address general procedures for marketing new fuels in California, including an overview of the elements for conducting a multimedia assessment and guidance for navigation through the application process.

Topics for the meeting include:

- Background on application process;
- Objectives of multimedia assessment;
- Purpose and scope of guidance document;
- Tiered application strategy;

As a potential user of the guidance document or user of the products that are reviewed under this process, we invite you to bring questions and concerns and to preview the technical manual as a draft in progress.

If you have a disability-related accommodation need, please go to <http://www.arb.ca.gov/html/ada/ada.htm> for assistance or contact the ADA Coordinator at (916) 323-4916. If you are a person who needs assistance in a language other than English, please go to <http://www.arb.ca.gov/as/eeo/languageaccess.htm> or contact the Bilingual Coordinator at (916) 324-5049.

If you plan to attend, please send an e-mail to Ms. Lesley Crowell at lcrowell@arb.ca.gov and title message RSVP September 13, 2005. For your information, this meeting will be webcast. You may access the webcast at ARB's homepage, http://www.arb.ca.gov/app/calendar/cal_wbcst.php. During the webcast we will also accept comments and questions sent via email to onair@arb.ca.gov.

Please mark your calendar. Your participation is appreciated.

If you have any further questions, please contact Dr. Timothy Ginn at trginn@ucdavis.edu, or Dr. Thomas McKone at temckone@lbl.gov.

DEPARTMENT OF HEALTH SERVICES

NOTICE OF GENERAL PUBLIC INTEREST REGARDING THE DEPARTMENT OF HEALTH SERVICES' INTENT TO CHANGE THE REIMBURSEMENT METHODOLOGY FOR CALIFORNIA'S SAFETY NET HOSPITALS

This notice is to provide updated information of public interest regarding the State's intent to convert its current financing methodology for California's safety net hospitals that serve Medi-Cal beneficiaries and under- and uninsured individuals. To accomplish this change, the Department of Health Services (DHS) is currently negotiating with the federal Centers for Medicare & Medicaid Services (CMS) the terms and conditions of a new Section 1115 demonstration project. Additionally, DHS will submit to CMS a State Plan Amendment (SPA) under Title XIX of the Social Security Act. The new payment methodology will be effective September 1, 2005.

CHANGE IN REIMBURSEMENT METHODOLOGY FOR SAFETY NET HOSPITALS

California's public safety net hospitals and health systems are distinguished by their deep-rooted commitment to provide healthcare access to Medi-Cal beneficiaries and to people with limited or no health insurance. To secure critical federal funds available to serve this population, DHS will convert the current reimbursement methodology for identified 22 public hospitals from negotiated per diem rates and supplemental payments to a cost-based reimbursement methodology using certified public expenditures (CPEs). The CPE methodology will allow public hospitals and clinics to certify their costs of providing Medi-Cal services to Medi-Cal beneficiaries as well as their costs of providing healthcare services to uninsured, indigent persons not eligible for Medi-Cal. Based on the CPEs, a prospective per diem rate of reimbursement will be established annually for inpatient services provided at each hospital. DHS will reconcile prospective payments to actual costs determined for the particular year from the audited cost report, when it becomes available. DHS will ensure that no hospital's baseline funding will decrease below the funding level that each hospital would have received under payment processes that were in existence in Fiscal Year 2004–05.

DHS will continue the current partnership with the California Medical Assistance Commission (CMAC) to negotiate per diem rates and supplemental payments to those hospitals that do not receive payments under the CPE methodology.

The waiver will have no impact on the Medi-Cal funding received by non-contract hospitals.

CHANGE IN THE DISPROPORTIONATE SHARE HOSPITAL PROGRAM

The State intends to change hospital eligibility for the Disproportionate Share Hospital (DSH) program and the primary data sources used to determine hospital-specific payment amounts. To accomplish this change, DHS will submit a SPA to CMS. The transition from the current program methodology to the new methodology is to be effective for DSH program year 2005–06.

Increased pressure from CMS to eliminate the use of intergovernmental transfers that CMS deems inappropriate will require significant changes in hospital finance methodology, as outlined above. In the new hospital finance methodology, private hospitals will receive equivalent DSH funding through the new Section 1115 demonstration project. Therefore, the State will limit participation in the DSH program to public hospitals. All University of California Medical Centers will be deemed eligible for the DSH program annually, regardless of the hospital-specific DSH eligibility statistics. Only public hospitals eligible to draw funds from a newly created Safety Net Care Pool may receive DSH funding for costs above 100 percent. In addition, the primary data source used to identify hospital patient expenses will change from the Office of Statewide Health Planning and Development Annual Financial Disclosure Report to the CMS Hospital and Hospital Health Care Complex Cost Report (Form CMS-2552-96).

PUBLIC REVIEW

The terms and conditions of the waiver, and the draft SPAs detailing the proposed financing methods stated above, will be available for review at local county welfare offices throughout the State, when the documents become available. Interested persons may request copies of the documents, and may send written comments to Nancy Hutchison, Chief, Inpatient Contract & Monitoring Section, Medi-Cal Operations Division, Department of Health Services, 1501 Capitol Avenue, MS 4506, P.O. Box 997419, Sacramento, CA 95899-7419, or via e-mail at NHutchis@dhs.ca.gov.

SUMMARY OF REGULATORY ACTIONS

REGULATIONS FILED WITH SECRETARY OF STATE

This Summary of Regulatory Actions lists regulations filed with the Secretary of State on the dates indicated. Copies of the regulations may be obtained by contacting the agency or from the Secretary of State, Archives, 1020 O Street, Sacramento, CA, 95814, (916) 653-7715. Please have the agency name and the date filed (see below) when making a request.

BOARD OF EDUCATION

California High School Exit Examination (CAHSEE)

This action amends existing administration and reporting requirements for the California High School Exit Exam (CAHSEE).

Title 5

California Code of Regulations

ADOPT: 1207.5 AMEND: 1200, 1203, 1204.5, 1206, 1207, 1209, 1210, 1211, 1211.5, 1215, 1215.5, 1216, 1217, 1225

Filed 08/16/05

Effective 08/16/05

Agency Contact: Debra Strain (916) 319-0641

BUREAU OF NATUROPATHIC MEDICINE

Introduction

This filing is the certificate of compliance for an emergency regulatory action which implemented and made specific the Naturopathic Doctors Act.

Title 16

California Code of Regulations

ADOPT: 4200, 4202, 4204, 4206, 4208, 4210, 4212, 4214, 4216, 4218, 4220, 4222, 4224, 4226, 4228, 4230, 4232, 4234, 4236, 4240, 4242, 4244, 4246, 4248, 4250, 4252, 4254, 4256, 4258, 4260, 4262, 4264, 4266, 4268

Filed 08/16/05

Effective 08/16/05

Agency Contact:

Kathy McKeever

(916) 324-0794

CALIFORNIA HORSE RACING BOARD

Pick N Pool

This regulatory action revises the Pick (n) Pool rule to allow the totalizator to display information pertaining to possible Pick (n) Pool payouts when the last race of the Pick (n) Pool is the only race remaining to be run, and provide that if the racing surface unexpectedly changes, that race is viewed as a winning race for purposes of the Pick (n) Pool.

Title 4
California Code of Regulations
AMEND: 1976.9
Filed 08/17/05
Effective 08/17/05
Agency Contact: Pat Noble (916) 263-6033

COMMISSION ON PEACE OFFICER
STANDARDS AND TRAINING
CPT Credit for Terrorism-Related Training

This regulatory action is to amend 11 CCR § 1005 and 1060 and PAM Procedure D-2 in order to include specified, non-POST certified terrorism-related courses for the purpose of satisfying the Continuing Professional Training (CPT) requirement.

Title 11
California Code of Regulations
AMEND: 1005, 1060
Filed 08/12/05
Effective 09/11/05
Agency Contact:
Patricia Cassidy (916) 227-4847

DEPARTMENT OF FOOD AND AGRICULTURE
Oak Mortality Disease Control

This emergency action expands and refines the list of host plants and plant parts that are hosts or potential carriers of oak mortality disease.

Title 3
California Code of Regulations
AMEND: 3700(c)
Filed 08/12/05
Effective 08/12/05
Agency Contact: Stephen Brown (916) 654-1017

DEPARTMENT OF HOUSING AND
COMMUNITY DEVELOPMENT
HOME Investment Partnership Program

This regulatory action is to implement and make specific Chapter 12 (commencing with Section 50896) of Part 2 of Division 31 of the Health & Safety Code. The purpose of these amendments is to address delays in expenditures so that applicants receiving an allocation for program funds have fewer constraints and requirements related to their expenditure and therefore are able to more expeditiously use the funds to assist lower-income households.

Title 25
California Code of Regulations
AMEND: 8204, 8210, 8211, 8212, 8212.1, 8213, 8217
Filed 08/12/05
Effective 09/11/05
Agency Contact:
Moiria Monahan (916) 327-3618

DEPARTMENT OF MANAGED HEALTH CARE
Data Collection, Disclosure Language, Grading/
Reviewing and Corrective

This action implements Health and Safety Code section 1375.4 by adopting procedures governing financial data reporting and financial solvency compliance by risk-bearing organizations.

Title 28
California Code of Regulations
ADOPT: 1300.75.4.2, 1300.75.4.4, 1300.75.4.7, 1300.75.4.8 AMEND: 1300.75.4, 1300.75.4.5
Filed 08/10/05
Effective 09/09/05
Agency Contact:
Elaine Paniewski (916) 324-9024

DEPARTMENT OF MOTOR VEHICLES
Traffic Violator Schools

This emergency rulemaking action amends the requirements for traffic violator schools in compliance with Chapter 952, Statutes of 2004 and federal regulations.

Title 13
California Code of Regulations
AMEND: 345.39, 345.45, 345.56, 345.78
Filed 08/16/05
Effective 09/20/05
Agency Contact: Randi Calkins (916) 657-8898

DEPARTMENT OF MOTOR VEHICLES
Fee Adjustment

Increase DMV fees to reflect annual change in California customer price index.

Title 13
California Code of Regulations
AMEND: 423.00
Filed 08/11/05
Effective 09/10/05
Agency Contact:
Christie Patrick (916) 657-5567

DEPARTMENT OF SOCIAL SERVICES
Fry v. Saenz Court Case Eligibility for CalWORKs

This emergency regulatory action readopts regulations that provide for CalWORKs eligibility to specified classes of disabled persons who are otherwise eligible for these benefits when enrolled full-time in high school or a vocational/technical training program even though they cannot reasonably be expected to complete either program before reaching age 19. This action is in response to a Peremptory Writ of Mandate in the case of *Fry vs. Saenz*.

Title MPP
California Code of Regulations
AMEND: 42-101

Filed 08/12/05
Effective 08/12/05
Agency Contact: Alison Garcia (916) 657-2586

**OCCUPATIONAL SAFETY AND HEALTH
STANDARDS BOARD**
Fall Protection for Telecommunications Workers

In this regulatory action, the Occupational Safety and Health Standards Board amends a Telecommunications Safety Order pertaining to employees working on overhead lines, revising fall protection provisions.

Title 8
California Code of Regulations
AMEND: 8615
Filed 08/10/05
Effective 09/09/05
Agency Contact: Marley Hart (916) 274-5721

OFFICE OF ADMINISTRATIVE LAW
Conflict of Interest Code

This is a Conflict of Interest Code amendment that has been approved by the Fair Political Practices Commission and is being filed with the Secretary of State and printed in the California Code of Regulations only.

Title 2
California Code of Regulations
AMEND: 51000
Filed 08/15/05
Effective 09/14/05
Agency Contact: Linda Brown (916) 323-8915

**OFFICE OF ENVIRONMENTAL HEALTH
HAZARD ASSESSMENT**
Specific Regulatory Levels: Chemicals Causing Reproductive Toxicity

The Safe Drinking Water and Toxic Enforcement Act of 1986 prohibits a person doing business from knowingly and intentionally exposing any individual to a chemical that has been listed as known to cause cancer or reproductive toxicity without first giving clear and reasonable warning to such individual. This regulatory action adds Sodium dimethyldithiocarbamate to the NOEL list of chemicals in Title 22, Section 12805(b) and specifies the level with no observable effect.

Title 22
California Code of Regulations
AMEND: 12805
Filed 08/12/05
Effective 09/11/05
Agency Contact: Susan Luong (916) 327-3015

**OFFICE OF ENVIRONMENTAL HEALTH
HAZARD ASSESSMENT**
Specific Regulatory Levels Posing No Significant Risk

The Safe Drinking Water and Toxic Enforcement Act of 1986 prohibits the knowing discharge of a listed chemical into water or onto or into land where such chemicals will probably pass into any source of drinking water. This regulatory action adds Naphthalene to the NSRL list of chemicals in Title 22, Section 12705(b) and specifies the level posing no significant risk.

Title 22
California Code of Regulations
AMEND: 12705
Filed 08/12/05
Effective 09/11/05
Agency Contact: Susan Luong (916) 327-3015

**OFFICE OF STATEWIDE HEALTH PLANNING
AND DEVELOPMENT**
MIRCal Regulations Upgrade

The Office of Statewide Health Planning and Development is amending sections 97212, 97232, and 97241, title 22, California Code of Regulations. These sections are in "Article 8: Patient Data Reporting Requirements." Minor editorial corrections are being made as well as removing obsolete/sunsetted material.

Title 22
California Code of Regulations
AMEND: 97212,, 97232, and 97241.
Filed 08/11/05
Effective 08/11/05
Agency Contact:
Starla Ledbetter (916) 327-5839

**OFFICE OF STATEWIDE HEALTH PLANNING
AND DEVELOPMENT**
Associate Degree Nursing Scholarship Program

This regulatory action establishes the statewide Associate Degree Nursing (A.D.N.) Scholarship Pilot Program to provide scholarships to associate degree nursing students in counties determined to have the most need and who agree to a service obligation in a medically underserved area in California after obtaining their nursing license.

Title 22
California Code of Regulations
ADOPT: 97800, 97810, 97820, 97830, 97840, 97850, 97860, 97870, 97880, 97890
Filed 08/10/05
Effective 08/10/05
Agency Contact: Diane Tomoda (916) 324-6500

**CCR CHANGES FILED WITH THE
SECRETARY OF STATE
WITHIN MARCH 23, 2005
TO AUGUST 17, 2005**

All regulatory actions filed by OAL during this period are listed below by California Code of Regulation's titles, then by date filed with the Secretary of State, with the Manual of Policies and Procedures changes adopted by the Department of Social Services listed last. For further information on a particular file, contact the person listed in the Summary of Regulatory Actions section of the Notice Register published on the first Friday more than nine days after the date filed.

Title 2

08/15/05 AMEND: 51000
08/09/05 ADOPT: 59520
08/04/05 AMEND: 2271
07/27/05 ADOPT: Div. 8, Ch. 23, Sec. 44000
07/20/05 AMEND: 18570
07/20/05 ADOPT: 18530.7
07/18/05 AMEND: 55400
07/18/05 AMEND: 18452
07/06/05 AMEND: 7286.0
06/24/05 AMEND: 599.502, 599.506
06/21/05 AMEND: 18705.5
06/16/05 AMEND: Div. 8, Ch. 4, section 25001
06/14/05 ADOPT: 18750.2, 18755 AMEND: 18702.4
05/31/05 ADOPT: 1859.300, 1859.301, 1859.302, 1859.310, 1859.311, 1859.312, 1859.313, 1859.314, 1859.315, 1859.316, 1859.317, 1859.318, 1859.319, 1859.320 1859.321, 1859.322, 1859.323, 1859.323.1, 1859.323.2, 1859.324, 1859.325, 1859.326, 1859.327, 1859.328, 185
05/27/05 AMEND: 1859.2
05/27/05 AMEND: 20107
05/26/05 ADOPT: 18465.1
05/26/05 AMEND: 1859.2, 1859.81, 1866
05/24/05 ADOPT: 1859.23 AMEND: 1859.2, 1859.122, 1859.123, 1859.123.1
05/12/05 ADOPT: 1859.71.4, 1859.78.1 AMEND: 1859.2, 1859.73.2, 1859.79.2, 1859.82, 1859.83, 1859.125, 1859.125.1, 1859.145, 1859.163.1, 1859.164.2
05/03/05 ADOPT: 20800.1, 20800.2, 20800.3, 20800.4, 20800.5, 20800.6, 20800.7, 20800.8, 20800.9, 20801.1, 20801.2, 20801.3 AMEND: 20800, 20801, 20802
05/02/05 ADOPT: 18640 AMEND: 18941.1, 18946, 18946.1, 18946.2, 18946.4
04/26/05 AMEND: 1859.2, 1859.42
04/19/05 AMEND: 172.4, 172.5, 172.6, 172.7, 172.8, 172.9, 172.10

Title 3

08/12/05 AMEND: 3700(c)
08/08/05 ADOPT: 1811, 1812, 1850 AMEND: 1804, 1806, 1808, 1831, 1930, 1931, 1932, 1940, 1941, 1942, 1943, 1944, 1945, 1946, 1950 REPEAL: 1809, 1810, 1851, 1851.1, 1870.1, 1870.2, 1871, 1872, 1873, 1951, 1960, 1961
07/21/05 AMEND: 6400
07/11/05 AMEND: 3423(b)
07/01/05 AMEND: 2311(b)
06/27/05 ADOPT: 3591.18
06/22/05 AMEND: 3430(b)
06/09/05 ADOPT: 3700
06/03/05 ADOPT: 3963
05/23/05 AMEND: 3636(a)(c)
05/16/05 AMEND: 6388
05/09/05 ADOPT: 1392.2(t), 1392.4(h), 1392.4(i), 1392.4(j), 1392.9(c), 1392.9(d),
04/15/05 AMEND: 1446.9(c), 1454.16(c)
04/04/05 AMEND: 6400

Title 4

08/17/05 AMEND: 1976.9
08/08/05 AMEND: 1887
06/27/05 ADOPT: 10175, 10176, 10177, 10178, 10179, 10180, 10181, 10182, 10183, 10184, 10185, 10186, 10187, 10188, 10189, 10190, 10191
05/26/05 ADOPT: 7030, 7031, 7032, 7033, 7034, 7035, 7036, 7037, 7038, 7039, 7040, 7041, 7042, 7043, 7044, 7045, 7046, 7047, 7048, 7049, 7050
04/27/05 AMEND: 1844, 1845
04/04/05 ADOPT: 10300, 10302, 10305, 10310, 10315, 10317, 10320, 10322, 10325, 10326, 10327, 10328, 10330, 10335, 10337

Title 5

08/16/05 ADOPT: 1207.5 AMEND: 1200, 1203, 1204.5, 1206, 1207, 1209, 1210, 1211, 1211.5, 1215, 1215.5, 1216, 1217, 1225
08/01/05 ADOPT: 15140, 15141
07/28/05 ADOPT: 1030.5, 1030.6, 1030.7, 1030.8
07/12/05 AMEND: 22000
06/23/05 ADOPT: 11992, 11993, 11994
06/22/05 ADOPT: 11967.6, 11967.7, 11967.8 AMEND: 11967, 11968, 11969
06/20/05 ADOPT: 19817.1, 19826.1, 19828.1, 19837 AMEND: 19813, 19814, 19814.1, 19817, 19826, 19828
06/09/05 ADOPT: 11511.6, 11516.6, 11516.7, 11517.5 AMEND: 11510, 11511, 11515.5, 11512, 11512.5, 11513, 11513.5, 11514, 11516, 11516.5, 11517
06/08/05 ADOPT: 17101 AMEND: 9531
06/01/05 AMEND: 41500, 41503, 41504, 41505

05/26/05 AMEND: 30060
 05/26/05 AMEND: 80413
 05/06/05 ADOPT: 18092.5 AMEND: 18066,
 18069, 18078, 18081, 18083, 18084,
 18092, 18103, 18106, 18109, 18110
 05/06/05 ADOPT: 3075.1, 13075.2, 13075.3,
 13075.4 AMEND: 13075
 05/06/05 ADOPT: 18220.2, 18224.2, 18224.4,
 1840.5, 18249 AMEND: 18220, 18240,
 18248
 05/06/05 ADOPT: 19850, 19851, 19852, 19853,
 19854 AMEND: 19813, 19814, 19814.1
 05/05/05 ADOPT: 80021, 80021.1
 04/14/05 AMEND: 19836
 03/24/05 ADOPT: 80307 AMEND: 80300, 80303,
 80310, 80412 REPEAL: 80307

Title 8

08/10/05 AMEND: 8615
 08/09/05 AMEND: 6251
 08/02/05 AMEND: 770
 08/02/05 ADOPT: 5022.1 AMEND: 4968
 07/28/05 AMEND: 1529, 1535, 5190, 5210, and
 8358
 06/28/05 AMEND: 3541, 3542, 3543, 3544, 3545,
 3546, 3548, 3549
 06/20/05 ADOPT: 9767.1, 9767.2, 9767.3, 9767.4,
 9767.5, 9767.6, 9767.7, 9767.8, 9767.9,
 9767.10, 9767.11, 9767.12, 9767.13,
 9767.14
 06/20/05 AMEND: 3649, 3651(a)
 06/15/05 AMEND: 1670(b)(11)(B)
 06/10/05 ADOPT: 9785.4, 9805.1 AMEND: 9725,
 9726, 9727, 9785, 9785.2, 9785.3, 9805,
 10150, 10152, 10156, 10158, 10160,
 10161, 10163, 10165.5 REPEAL: 10151,
 10154
 06/10/05 ADOPT: 9768.1, 9768.2, 9768.3, 9768.4,
 9768.5, 9768.6, 9768.7, 9768.8, 9768.9,
 9768.10, 9768.11, 9768.12 9768.13,
 9768.14, 9768.15, 9768.16, 9768.17
 06/06/05 ADOPT: 10133.50, 10133.51, 10133.52,
 10133.53, 10133.54, 10133.55, 10133.56,
 10133.57, 10133.58, 10133.59, 10133.60
 05/31/05 ADOPT: 32032, 32033, 32034, 32035,
 32606, 32607, 32608, 32609, 81000,
 81005, 81010, 81020, 81030, 81040,
 81050, 81055, 81060, 81065, 81070,
 81075, 81080, 81090, 81100, 81105,
 81110, 81115, 81120, 81125, 81130,
 81135, 81140, 81145, 81150, 81155,
 81160, 81
 05/24/05 AMEND: 3999
 05/12/05 AMEND: 9789.11
 04/29/05 AMEND: 3456
 04/28/05 AMEND: 1637
 04/19/05 REPEAL: 16003

04/14/05 AMEND: 8354, 8397.10, 8397.11,
 8397.12, 8397.13.
 04/06/05 AMEND: 230.2
 04/06/05 ADOPT: 9792.6, 9792.7, 9792.8, 9792.9,
 9792.10, 9792.11 REPEAL: 9792.6

Title 9

03/25/05 ADOPT: 13000, 13005, 13010, 13015,
 13020, 13025, 13030, 13035, 13040,
 13045, 13050, 13055, 13060, 13065,
 13070, 13075 AMEND: 9846, 10125,
 10564

Title 10

07/07/05 AMEND: 4010, 4011, 4013, 4016, 4018,
 4019, 5000, 5001, 5002, 5003, 5005,
 5006, 5007, 5008, 5009, 5010, 5013,
 5020, 5050, 5051, 5060, 5061, 5070,
 5110, 5111, 5112, 5267, 5268,
 06/30/05 AMEND: 2699.6600, 2699.6809
 06/23/05 AMEND: 2498.6
 06/22/05 AMEND: 260.102.14
 06/03/05 AMEND: 2698.70, 2698.71
 06/03/05 AMEND: 2698.61, 2698.62
 05/05/05 ADOPT: 2805, 2805.5, 2805.9, 2805.11,
 2806, 2807, 2807.1 2807.2, 2807.3,
 2807.4, 2808, 2809, 2809.1, 2809.2,
 2809.3, 2809.5, 2810, 2810.5, 2811
 AMEND: 2814 REPEAL: 2805, 2805.1,
 2805.1.5, 2806, 2806.5, 2810 2810.1,
 2810.2, 2810.3, 2810.4, 2810.6, 28
 04/29/05 AMEND: 2698.30, 2698.31, 2698.32,
 2698.33, 2698.34, 2698.35, 2698.36,
 2698.37, 2698.38, 2698.39, 2698.40,
 2698.41 REPEAL: 2698.40, 2698.41,
 2698.42, 2698.43, 2698.44, 2698.45
 04/01/05 ADOPT: 2218.60, 2218.61, 2218.62,
 2218.63
 04/01/05 AMEND: 260.140.72, 260.140.72.1,
 260.140.72.5
 03/25/05 AMEND: 1556

Title 11

08/12/05 AMEND: 1005, 1060
 08/01/05 AMEND: 1005, 1014
 07/28/05 ADOPT: 720, 721, 722, 723, 724,
 06/24/05 AMEND: 63.2
 06/15/05 AMEND: 1005, 1007, 1008
 06/15/05 AMEND: 1053
 06/13/05 ADOPT: 308, 312.1 AMEND: 300, 301,
 302, 303, 304, 305, 306, 307, 310, 311,
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 05/11/05 ADOPT: 61.9
 05/09/05 ADOPT: 28.4
 05/04/05 AMEND: 51.7
 05/04/05 ADOPT: 61.8
 05/04/05 ADOPT: 51.23
 05/04/05 ADOPT: 51.25

05/04/05 AMEND: 51.2
 05/03/05 AMEND: 51.24
 05/03/05 AMEND: 51.15
 05/03/05 AMEND: 51.14
 05/03/05 AMEND: 51.12
 03/30/05 ADOPT: 2037, 2038 AMEND: 2010, 2037, 2038, 2050
 03/30/05 AMEND: 970, 970.1, 971, 972, 972.1, 972.2, 972.4, 972.5, 972.6, 972.7, 972.9, 973, 973.1, 974, 974.1, 975, 975.1, 975.2, 975.3, 975.4, 975.5, 975.6, 976, 976.1, 976.2, 976.3, 976.4 REPEAL: 975.1

Title 12

06/14/05 AMEND: 503(f)

Title 13

08/16/05 AMEND: 345.39, 345.45, 345.56, 345.78
 08/11/05 AMEND: 423.00
 08/08/05 AMEND: 2185
 08/02/05 AMEND: 2450, 2451, 2452, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465
 07/28/05 AMEND: 25.15, 25.18, 25.19, 25.21, 25.22
 07/27/05 AMEND: 350.24
 07/19/05 ADOPT: 15.04
 05/31/05 AMEND: 551.1, 551.6, 555, 558, 560, 561, 580, 583, 585 586, 595, 597
 05/03/05 ADOPT: 159.10
 03/30/05 AMEND: 25.15, 25.18, 25.19, 25.22

Title 13, 17

07/05/05 ADOPT: 2299 (Title 13), 93117 (Title 17) AMEND: 2281 (Title 13), 2282 (Title 13), 2284 (Title 13)

Title 14

08/08/05 ADOPT: 4970.02, 4970.03, 4970.04, 4970.05, 4970.06 4970.07, 4970.08, 4970.09, 4970.10, 4970.11, 4970.12, 4970.13, 4970.14, 4970.15, 4970.16, 4970.17, 4970.18, 4970.19, 4970.20, 4970.21 AMEND: 4970.00, 4970.01 REPEAL: 4970.02, 4970.03, 4970.04, 4970.05
 08/05/05 ADOPT: 1052.4 AMEND: 895.1, 1052, 1052.1
 07/21/05 AMEND: 18419
 07/19/05 AMEND: 354, 360, 361, 362, 363, 478.1, 708
 07/13/05 AMEND: 122 REPEAL: Appendix A, Form DFG 122
 06/21/05 AMEND: 895, 895.1, 1038, 1038(f)
 06/09/05 AMEND: 782
 06/09/05 AMEND: 27.80
 05/12/05 AMEND: 180.3
 05/12/05 AMEND: 120.01
 05/11/05 AMEND: 231

05/11/05 AMEND: 601
 05/11/05 AMEND: 180.15
 05/11/05 AMEND: 150.05
 05/11/05 AMEND: 150.03
 05/10/05 AMEND: 551
 05/10/05 AMEND: 150.02
 05/10/05 AMEND: 150
 05/05/05 AMEND: 165
 04/25/05 ADOPT: 18456.2.1, 18460.2.1 AMEND: 18449, 18450, 18451, 18456, 18459, 18459.1, 18459.2.1, 18459.3, 18461, 18462
 04/25/05 AMEND: 851.23
 04/25/05 ADOPT: 1038(i) AMEND: 1038(e)
 04/22/05 AMEND: 149.1
 04/19/05 AMEND: 670.2
 04/13/05 AMEND: 2030, 2305, 2310, 2505, 2960
 04/11/05 ADOPT: 4970.02, 4970.03, 4970.04, 4970.05, 4970.06, 4970.07, 4970.08, 4970.09, 4970.10, 4970.11, 4970.12, 4970.13, 4970.14, 4970.15, 4970.16, 4970.17, 4970.18, 4970.19, 4970.20, 4970.21 AMEND: 4970.00, 4970.0 REPEAL: 4970.02, 4970.03, 4970.04, 4970.05
 04/07/05 ADOPT: 1.71 AMEND: 2.09, 2.10, 5.00
 04/04/05 AMEND: 119900
 03/30/05 AMEND: 852, 852.2, 852.3
 03/30/05 AMEND: 825.03, 825.05, 826.01, 826.03, 829.04, 829.05, 827.02
 03/28/05 ADOPT: 53.00, 53.01, 53.02, 53.03, 149.1, 149.3 AMEND: 149
 03/25/05 ADOPT: 745.5 AMEND: 746

Title 15

08/03/05 ADOPT: 3436
 07/07/05 ADOPT: 3187 AMEND: 3006, 3188, 3189, 3331
 06/27/05 REPEAL: 3999.1.7
 06/22/05 AMEND: 2000, 2400, 2403
 06/21/05 REPEAL: 3999.1.3
 06/21/05 REPEAL: 3999.1.2
 06/15/05 AMEND: 3335
 06/08/05 ADOPT: 2251.5, 2251.6, 2251.7 AMEND: 2041, 2072, 2073, 2074 REPEAL: 2050, 2051, 2052, 2054, 2055, 2056, 2701
 06/02/05 AMEND: 1006, 1010, 1018, 1020, 1021, 1023, 1025, 1028, 1029, 1045, 1046, 1051, 1052, 1065, 1083, 1144, 1206, 1209, 1240, 1241, 1242, 1243, 1245, 1246, 1247, 1248, 1262, 1265, 1267, 1270, 1271 REPEAL: 1218
 06/01/05 ADOPT: 4141, 4141.1
 05/26/05 AMEND: 3287

Title 16

08/16/05 ADOPT: 4200, 4202, 4204, 4206, 4208, 4210, 4212, 4214, 4216, 4218, 4220, 4222, 4224, 4226, 4228, 4230, 4232, 4234, 4236, 4240, 4242, 4244, 4246, 4248, 4250, 4252, 4254, 4256, 4258, 4260, 4262, 4264, 4266, 4268
 07/28/05 AMEND: 1387, 1387.1, 1387.2, 1387.3, 1387.5, 1387.6, 1390, 1390.3, 1391
 07/27/05 AMEND: 2085.2
 07/26/05 AMEND: 418
 07/22/05 AMEND: 1888
 07/22/05 AMEND: 109, 116, 117
 07/21/05 ADOPT: 1070.5
 07/18/05 ADOPT: 1399.327, 1399.350.5, 1399.352.7, 1399.372.5
 07/12/05 AMEND: 1397.51
 07/06/05 ADOPT: 1922.3, 1993.1 AMEND: 1950.5, 1951, 1953
 07/05/05 ADOPT: 1399.454 AMEND: 1399.450, 1399.451
 07/05/05 ADOPT: 1398.26.1
 06/22/05 AMEND: 1041
 05/31/05 AMEND: 4154
 05/12/05 AMEND: 1491
 05/10/05 ADOPT: 2293, 2294
 04/28/05 ADOPT: 1070.3
 04/25/05 AMEND: 1805.1, 1807, 1807.2, 1811, 1816, 1816.1, 1816.4, 1833, 1833.1, 1833.2, 1846, 1846.1, 1850.7, 1874, 1886, 1887.4, 1887.9, 1889, 1889.1, 1889.2, 1889.3
 04/21/05 AMEND: 1398.38
 04/21/05 AMEND: 1399.155
 04/14/05 AMEND: 54.1, 54.2
 04/14/05 AMEND: 1398.30
 04/14/05 AMEND: 1071, 1083
 03/28/05 AMEND: 1399.688

Title 17

08/01/05 ADOPT: 58800, 58810, 58811, 58812, 58820, 58821, 58822, 58830, 58831, 58832, 58833, 58834, 58840, 58841, 58842, 58850, 58851, 58860, 58861, 58862, 58863, 58864, 58870, 58871, 58872, 58873, 58874, 58875, 58876, 58879, 58880, 58881, 58882 AMEND: 54302, 54
 07/22/05 ADOPT: 50243, 50245, 50247, 50249, 50251, 50253, 50255, 50257, 50259, 50261, 50262, 50263, 50265, 50267
 07/11/05 AMEND: 54319
 06/30/05 AMEND: 2500, 2502, 2505
 06/23/05 AMEND: 60201, 60202, 60205, 60210
 06/22/05 ADOPT: 30194.1, 30194.2 AMEND: 30100, 30145, 30145.1, 30225, 30230, 30231, 30408, 30535 REPEAL: 30232

06/20/05 AMEND: 94501, 94506, 94507, 94508, 94509, 94510, 94512, 94513, 94515, 94526, & Test Method
 05/18/05 AMEND: 50604, 50605, 54310, 54320, 54326, 54332, 54335
 05/12/05 ADOPT: 1029.117, 1029.134, 1031.8, 1031.9, 1032.5, 1035.3, 1035.4
 05/02/05 ADOPT: 50243, 50245, 50247, 50249, 50251, 50253, 50255, 50257, 50259, 50261, 50262, 50263, 50265, 50267
 04/26/05 AMEND: 3030
 04/04/05 AMEND: 93115
 03/30/05 ADOPT: 54351, 58800, 58811, 58812, AMEND: 54302, 54310, 54320, 54370
 03/24/05 AMEND: 94011

Title 18

07/08/05 ADOPT: 4056.1
 06/07/05 ADOPT: 1160, 1214, 1331.2, 1425, 2257, 2333, 2425, 2520, 3005, 3303, 3503, 4031.1, 4905
 05/05/05 AMEND: 18522, 18526, 18523, 18530
 05/04/05 AMEND: 6001
 04/29/05 ADOPT: 4056.1
 04/07/05 AMEND: 1703
 03/30/05 AMEND: 5041, 5073, 5076, 5082.2

Title 19

05/26/05 AMEND: 3.11

Title 20

07/26/05 AMEND: 1340, 1341, 1342, 1343, 1344

Title 21

06/03/05 ADOPT: 4059, 4060, 4062.1, 4066, 4067, 4069, 4072.1 AMEND: 4050, 4052, 4055, 4056, 4057, 4058, 4061, 4062, 4063, 4064, 4070, 4071, 4072, 4073 REPEAL: 4065

Title 22

08/12/05 AMEND: 12805
 08/12/05 AMEND: 12705
 08/11/05 AMEND: 97212,, 97232, and 97241.
 08/10/05 ADOPT: 97800, 97810, 97820, 97830, 97840, 97850, 97860, 97870, 97880, 97890
 07/11/05 AMEND: 70217
 07/06/05 ADOPT: 72516, 73518
 06/30/05 AMEND: 90417
 06/02/05 ADOPT: 51000.10.1, 51000.15.1, 51000.20.9, 51000.31, 51000.51, 51000.52, 51000.53, 51000.60 AMEND: 51000.1, 51000.1.1, 51000.3, 51000.4, 51000.6, 51000.7, 51000.16, 51000.30, 51000.35, 51000.40, 51000.45, 51000.50, 51000.55, 51051, 51451
 05/17/05 AMEND: 66250.1, 66250.2

05/05/05 ADOPT: 97251, 97252, 97253, 97254, 97255, 97256, 97257, 97258, 97259, 97260, 97261, 97262, 97263, 97264, 97265 AMEND: 97210, 97211, 97212, 97213, 97215, 97216, 97218, 97219, 97220, 97221, 97222, 97223, 97224, 97225, 97226, 97227, 97228, 97229, 97230, 97

04/21/05 AMEND: Appendix

04/11/05 AMEND: 66260.201

04/11/05 AMEND: 111430

03/24/05 AMEND: 70577, 70717, 71203, 71517, 71545

03/23/05 ADOPT: 96000, 96005, 96010, 96015, 96020, 96025

03/23/05 ADOPT: 50960.2, 50960.4, 50960.9, 50960.12, 50960.15, 50960.21, 50960.23, 50960.26, 50960.29, 50960.32, 50960.36, 50961, 50965 AMEND: 50962, 50963, 50964 REPEAL: 50960, 50961

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08/05/05 ADOPT: 40-036 AMEND: 22-071, 22-072, 22-305, 40-103, 40-105, 40-107, 40-119, 40-125, 40-131, 40-173, 40-181, 40-188, 40-190, 41-405, 42-209, 42-213, 42-221, 42-302, 42-406, 42-407, 42-716, 42-721, 42-751, 42-769, 44-101, 44-102, 44-111, 44-113, 44-115,

06/29/05 AMEND: 63.103.2, 63-300.5, 63-402.229, 63-503.441 63-509(b), 63-509(c), 63-801.737(QR)

06/15/05 AMEND: 80027, 80036, 87224, 87228, 87834, 87836, 101178, 101187, 102384

05/09/05 AMEND: 80044, 80045, 80066, 80070, 84063, 87344 87345, 87566, 87570, 87571, 87725, 87725.12, 87844, 87866, 87870, 88069.7, 88070, 89119, 89182, 89244, 89245, 89370, 89566, 101200, 101201, 101217, 101221, 102391, 102392

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07/25/05 ADOPT: 3298

07/22/05 ADOPT: 3979

07/13/05 ADOPT: 3420, 3421, 3422, 3423, 3424, 3425, 3426, 3427, 3428

06/20/05 ADOPT: 499.4.1.1, 499.4.1.2, 499.4.2, 499.6.3 AMEND: 499.1, 499.2, 499.3, 499.4, 499.4.1, 499.5, 499.6, 499.6.1, 499.7, 499.8 REPEAL: 499.6.2

06/13/05 ADOPT: 18459.1.2, Form CIWMB 203, Form 204 AMEND: 18449, 18450, 18451, 18453.2, 18456, 18456.2.1, 18457, 18459, 18459.1, 18459.2.1, 18459.3, 18460.1, 18460.1.1, 18460.2, 18460.2.1, 18461, 18462, 18463, 18464, 18466, Penalty Table 1, Penalty Table 2

05/31/05 ADOPT: 2917

05/23/05 ADOPT: 3939.14

05/17/05 AMEND: 645

03/28/05 AMEND: 2611

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08/12/05 AMEND: 8204, 8210, 8211, 8212, 8212.1, 8213, 8217

07/22/05 ADOPT: 1019, 1105, 1276, 2105, 2276

07/11/05 AMEND: 8002, 8004, 8012, 8014

07/07/05 ADOPT: 8439, 8439.1, 8439.2, 8439.3, 8439.4, 8440, 8440.1, 8440.2, 8440.3, 8441, 8441.1, 8441.2, 8441.3, 8441.4, 8441.5, 8442, 8442.1, 8442.2, 8442.3, 8442.4, 8442.5, 8442.6, 8442.7, 8442.8, 8442.9, 8442.10, 8442.11, 8443, 8443.1, 8443.2, 8443.3, 8443.4,

04/25/05 AMEND: 7056, 7060, 7062.1, 7064, 7066, 7078.4

04/14/05 ADOPT: 7340, 7341, 7342, 7343, 7344, 7345, 7346, 7347

04/07/05 AMEND: 6935, 6935.2

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08/10/05 ADOPT: 1300.75.4.2, 1300.75.4.4, 1300.75.4.7, 1300.75.4.8 AMEND: 1300.75.4, 1300.75.4.5

07/25/05 AMEND: 1300.74.30

06/17/05 AMEND: 1300.70.4

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08/12/05 AMEND: 42-101

08/05/05 ADOPT: 63-508, 63-509 AMEND: 63-034, 63-102, 63-103, 63-300, 63-301, 63-410, 63-501, 63-503, 63-504, 63-505, 63-801, 63-804

08/01/05 AMEND: 11-400, 11-102, 11-403, 11-406

04/22/05 AMEND: 42-101

